

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

CORY E. JOHNSON,

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY  
ADMINISTRATION

Defendant.

Civil No. 3:19-cv-01189-MC

ORDER FOR REMAND

Based on the stipulation of the parties, it is ORDERED that the case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will remand the case to an administrative law judge (ALJ), who shall update the medical records, offer Plaintiff the opportunity for a hearing, and issue a new decision. The ALJ shall also:

1. Reconsider whether Plaintiff's impairments meet or equal the severity of a listed impairment with the assistance of testimony from a medical expert;
2. If adjudication proceeds beyond step three, the ALJ should reevaluate Plaintiff's residual functional capacity and capacity to perform other work, at step five of the sequential process, with the assistance of vocational expert testimony; and
3. Take any other actions necessary to develop the record and issue a new decision.

The parties agree that reasonable attorney fees will be awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

IT IS SO ORDERED this 1st day of June, 2020.

s/Michael J. McShane

MICHAEL J. McSHANE  
UNITED STATES DISTRICT JUDGE

Submitted by:

BILLY J. WILLIAMS, OSB #901366  
United States Attorney

RENATA GOWIE, OSB #175273  
Civil Chief

s/ Leisa A. Wolf  
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